

**MINUTES OF PUBLIC MEETING
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD
FOR THE SUPERIOR COURT**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Superior Court was convened Tuesday, July 7, 2015, at 10:00 a.m., Conference Room 109, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

Board Members Present in Conference Room 109:

Kevin Kluge, Chair; Danna Quinn; Mark Smalley; Jason Hathcock

Board Members Present via Conference Call:

Rob Lubitz

Also Present:

Annette Corallo, Board Secretary; Leticia Chavez, Recorder

Call to Order:

Approval of the Minutes:

June 2, 2015, Public Meeting Minutes

New Board member Danna Quinn abstained from voting on the minutes as she was not a Board member at the time of the June 2, 2015 meeting.

MOTION: A motion to approve the June 2, 2015 Public Meeting Minutes was made by J. Hathcock. Motion was seconded and passed 4-0-1, with D. Quinn abstaining; minutes stand approved. **CORP 2015-39**

Review of Notice of Retiree Return to Work:

A. Wendy Islas – Pima County

The Board received a Notice of Retiree Return to Work from Pima County for Wendy L. Islas. The form indicates that Ms. Islas retired from the Pima County Superior Court under CORP effective June 1, 2015, and returned to work for the Pima County Superior Court on June 1, 2015, as a Drug Treatment Alternative to Prison Screener.

Board Member Jason Hathcock noted that the position description states the position is intermittent but that it does not state the hours this employee is expected to work. The Chair stated that he believes the position is part-time because the job description states it is intermittent, but asked the Board Secretary to verify the hours an employee is projected to work if the job description does not specify the hours.

MOTION: A motion that the Board received a Notice of Return to Work for Wendy L. Islas and finds that (1) Ms. Islas is eligible to continue to receive a CORP pension and (2) Ms.

Islas' employer (Pima County) is not responsible for paying the CORP alternate contribution rate on her behalf was made by M. Smalley. Motion was seconded and passed unanimously. **CORP 2015-40**

B. Cindy A. Winn – Coconino County

The Board received a Notice of Retiree Return to Work from Coconino County for Cindy A. Winn. The form indicates that Ms. Winn retired from the Coconino County Superior Court under CORP effective May 1, 2015, and returned to work through contracted services (smartworksplus) for the Coconino County Superior Court on April 13, 2015, as a Chief Probation Officer.

The Board reviewed a letter dated February 3, 2012, from PSPRS Deputy Administrator Jared Smout. In that letter, Mr. Smout states that Smart Works Plus does not fall under the statutory definition of an “employer” pursuant to A.R.S. § 38-881(23). Board Member Rob Lubitz stated that he questions whether the situation in which this letter was applied is on point with the case the Board is discussing today. Specifically, he wondered whether the guidance in that letter is applicable given that A.R.S. § 12-251(A) states that the presiding judge of the superior court in each county shall appoint a chief adult probation officer who shall serve at the pleasure of the presiding judge.

The Chair asked the Board Secretary to seek advice from the Board Attorney in drafting a letter to the PSPRS Administrator, Jared Smout, to seek guidance specific to this case.

The Board agreed to table this item until the Board can receive legal advice from the Board Attorney and until a response is received from PSPRS.

Approval of Normal Retirement Benefits:

The Local Board may consider and vote on the approval of Normal Retirement benefits for the following applications or defer decision to a later date:

David W. Austin
Chauncey A. Crenshaw (Reverse DROP)
Wendy L. Islas
William L. Mortimer
Patricia L. O'Connor (Reverse DROP)
Brian L. Slater

The Board Secretary advised that the effective CORP retirement date for Wendy L. Islas, Patricia L. O'Connor and Brian L. Slater was June 1, 2015; all other applicants have a July 1, 2015 CORP effective retirement date.

MOTION: A motion to approve the payment of Normal Retirement benefits to the following applicants in about the following amounts, effective July 1, 2015, except as indicated, was made by R. Lubitz. Motion was seconded and passed unanimously. **CORP 2015-41**

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|-----------------------|---|
| David W. Austin: | \$2,630.13 |
| Chauncey A. Crenshaw: | \$4,043.42 (Reverse DROP Estimate: \$48,930.96) |
| Wendy L. Islas: | \$3,113.05, effective June 1, 2015 |

William L. Mortimer: \$2,702.68
Patricia L. O'Connor: \$4,827.44 (Reverse DROP Estimate: \$207,826.66),
effective June 1, 2015
Brian L. Slater: \$3,418.84, effective June 1, 2015

Approval of Survivor Benefits:

The Local Board may consider and vote on the approval of Survivor benefits for the following application or defer decision to a later date.

William L. Tremont (Deceased Retired Member) – Benefits Payable to Evelyn K. Tremont, Spouse

MOTION: A motion to approve the payment of survivor benefits to the following applicant in about the following amount, was made by M. Smalley. Motion was seconded and passed unanimously. **CORP 2015-42**

Member: William L. Tremont (Retired Member; Deceased April 11, 2015)
Benefit Payable to Spouse Evelyn K. Tremont beginning May 31, 2015: \$1,732.04

Status Update: Membership Audit

One of the officers identified in Maricopa County left employment in May 2015 so no further follow-up to request another exam is needed. Staff will continue to follow up with the last pending officer on the Board's request that she take another exam because of Concentra's failure to provide a copy of her previous exam. The Board Secretary sent a second letter and an email to the remaining officer on June 25, 2015.

Acknowledgement of CORP Physical Pre-Existing Conditions

The Chair noted, for the record, that the physical examination report for member Daniel Kimes identified one or more pre-existing conditions.

The Board approved this officer for CORP membership at the June 2, 2015 meeting. His physical examination report was received after a 60-day notice was sent to him.

Acknowledgement of CORP Physical Exam Final Letters:

The Chair noted, for the record, that physical examination reports for Janine Conner, Hepzebah A. Erwin, Lavonne Marzett, Scott A. Murphy, Bernadette Winquest, and Matthew W. Wokas were not received within 60 days of receipt of their membership applications and that final letters requesting an examination were sent to these members via certified mail in June 2015.

Approval of Membership:

The Local Board may consider and vote on the approval of the following requests for membership or defer decision to a later date:

| | | |
|---------------------|----------|-----------|
| Arbelo V, Antonio | Maricopa | 6/15/2015 |
| Avila, Rebecca | Pima | 5/18/2015 |
| Billings, Patrick | Pima | 5/18/2015 |
| Chick, Ezell | Yuma | 6/8/2015 |
| Conner, Janine | Maricopa | 3/30/2015 |
| Daniel, Enrique | Pima | 5/4/2015 |
| Erwin, Hepzebah | Maricopa | 3/30/2015 |
| Greene, Julie | Apache | 5/4/2015 |
| Jacobo, Yvonne | Pima | 5/11/2015 |
| Jones, Cherie | Pima | 5/11/2015 |
| Lantz, Marci | Gila | 3/2/2015 |
| Marzett, Lavonne | Mohave | 4/20/2015 |
| McCabe, Shane | Pima | 5/11/2015 |
| Moreno, Isa | Pima | 5/11/2015 |
| Murphy, Scott | Pima | 4/20/2015 |
| Paredes, Matthew | Pima | 5/4/2015 |
| Pascua III, Edgar | Pima | 5/4/2015 |
| Ramia, Elizabeth | Pima | 6/1/2015 |
| Treuchel, Thomas | Maricopa | 6/15/2015 |
| Vega Aguirre, Candy | Pima | 5/11/2015 |
| Winqest, Bernadette | Yavapai | 4/12/2015 |
| Wokas, Matthew | Mohave | 4/20/2015 |

MOTION: A Motion to approve the 22 applicants listed on the agenda for this meeting for membership in CORP pursuant to A.R.S. § 38-893.D and to note for the record that the physical examinations for Rebecca Avila, Patrick Billings, Ezell Chick, Enrique Daniel, Julie Greene, Cherie Jones, and Shane McCabe identified a physical or mental condition or injury that existed or occurred before the member's date of membership in the plan, was made by D. Quinn. Motion was seconded and passed unanimously. CORP 2015-43

Future Agenda Items:

A completed Independent Medical Reevaluation for disability recipient Sandra Mariani should be available for review at the Board's next meeting on August 4, 2015. The Board may also hear a new disability application at that meeting.

Regarding the Barthel case, the Board Secretary advised that the Barthel brothers hired an attorney. Due to the Board awarding the Death Benefit to the estate, the brothers had been advised that one of them would have to be appointed by the probate court as the representative of the estate. The claimants' attorney called the Local Board Office and stated that she believes a personal affidavit from each brother will suffice. However, PSPRS had stated a personal affidavit could not be used in this case. The Board Secretary provided the claimants' attorney with this information and referred her to PSPRS. PSPRS later informed the claimants' attorney that the approval of an affidavit would be up to the Local Board.

The Board Secretary asked the claimants' attorney to send a letter to the Local Board Office with their proposal, along with what she was told by PSPRS, for the Board to review. It will then be up to the Board, with guidance from the Board Attorney, as to whether or not the Board will accept

the personal affidavit or require the claimants to go through the probate court to have an estate representative appointed.

The Local Board Office is still in the process of collecting medical records for disability applicant Ruth K. Marblestone. Last month, the Board requested that Ms. Marblestone provide a list of doctors for her 2008 accident, which has not yet been received.

On August 13, 2015, the Board Secretary and the Chair will meet with the Chief Adult Probation Officers and Juvenile Court Directors about the possibility of presenting Reverse DROP information sessions and the feasibility of obtaining employee email addresses for electronic elections.

Call to the Public:

No members of the public addressed the Board.

The meeting was adjourned at 10:28 a.m.

Transcribed July 10, 2015